

### DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled:

### PULSATILE RELEASE HISTAMINE H<sub>2</sub> ANTAGONIST DOSAGE FORM,

described and claimed

\_\_\_\_\_ in the attached specification;  
  X   in the specification filed 01/25/2002,  
as U.S. Application Serial No. 10/057,759,  
and as amended \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as filed and as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

### PRIORITY CLAIM

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

60/340,419  
Application No.

December 14, 2001  
Filing Date

\_\_\_\_\_  
Application No.

\_\_\_\_\_  
Filing Date

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I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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Inventor's Signature Philip J Percel Date 2/8/02

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